

1 STEPHEN J. ERIGERO (SBN 11562)  
2 TIMOTHY J. LEPORE (SBN 13908)  
3 ROPERS, MAJESKI, KOHN & BENTLEY  
3753 Howard Hughes Pkwy., Suite 200  
3 Las Vegas, NV 89169  
4 Telephone: (702) 954-8300  
4 Facsimile: (213) 312-2001  
5 Email: stephen.erigero@rmkb.com  
5 timothy.lepore@rmkb.com

6 Attorneys for Defendant  
7 THE LANGSDALE LAW FIRM, P.C.

8  
9 UNITED STATES DISTRICT COURT  
10  
11 DISTRICT OF NEVADA

12 MICHAEL CUTTS,  
13 Plaintiff,

14 v.  
15 RICHLAND HOLDINGS, INC. d/b/a  
16 ACCTCORP OF SOUTHERN NEVADA, a  
17 Nevada Corporation; CALEB J.  
18 LANGSDALE, ESQ. dba The LANGSDALE  
19 LAW FIRM, P.C.; and CLIFFORD MOLIN,  
20 M.D. a/k/a Zeeba Sleep Center  
21  
22 Defendants.

23 Case No. 2:17-cv-01525-JCM-PAL

24 **DEFENDANT THE LANGSDALE LAW  
25 FIRM, P.C.'S STATUS REPORT  
26 REGARDING SETTLEMENT**

27  
28 Defendant The Langsdale Law Firm, P.C. ("Langsdale"), by and through its attorneys of  
record, hereby submit its Status Report Regarding Settlement.<sup>1</sup>

29  
30 1. On February 27, 2018, the Court dismissed Cutts's claims against Langdale (and  
31 the other defendants) with prejudice. ECF No. 30. That same day, the Court entered judgment in  
32 Langsdale's favor. ECF No. 31. On March 6, 2018, Cutts appealed the Court's order and judgment  
33 to the United States Court of Appeals for the Ninth Circuit. ECF No. 33.

34  
35 2. On June 6, 2018, Cutts filed his opening brief in *Cutts v. Richland Holdings, Inc.*,  
36 Docket No. 18-15377. Subsequently, on June 22, 2018, Langsdale and Cutts (the "Settling

37  
38 <sup>1</sup> Langsdale is submitting this status report individually because scheduling conflicts with counsel for Plaintiff  
39 Michael Cutts and Langsdale's counsel have prevented a joint report.

1 Parties") reached agreement on principal terms to resolve this action. On June 29 2018, the  
2 Settling Parties notified the Court that they had reached an agreement to settle all claims, while  
3 anticipating sixty days were needed to draft and execute a settlement agreement, in addition to  
4 performance of the Settling Parties' respective obligations. ECF No. 54. On July 5, 2018, the  
5 Court ordered the Settling Parties to file a stipulation to dismiss by August 29, 2018, or to submit  
6 a joint status report advising when a stipulation to dismiss will be filed. ECF No. 35.

7       3.       During the drafting of the settlement agreement, the Settling Parties encountered  
8 unexpected issues in resolving certain terms and conditions. As a result, the Settling Parties  
9 experienced a delay in finalizing a written settlement agreement to reflect each person's  
10 understanding. Finally, on August 29, 2018, after numerous telephonic discussions and written  
11 correspondences, the Settling Parties agreed to all terms and conditions and have finalized a  
12 written settlement agreement.

13       4.       To effectuate settlement, Langsdale has requested the Ninth Circuit for a 59-day  
14 extension to file its answering brief in *Cutts v. Richland Holdings, Inc.*, Docket No. 18-15377.  
15 This will allow performance of the Settling Parties' respective obligations. The 59-day extension  
16 will set the deadline for Langsdale to file its answering brief to November 2, 2018, should it  
17 become necessary for some unforeseen reason.

18       //

19       //

20       //

21

22

23

24

25

26

27

28

1 As a result, Langsdale requests the Court to extend the deadline to file a Stipulation for  
2 Dismissal or further Joint Status Report until November 2, 2018.

3 Dated: August 30, 2018

4 ROPERS, MAJESKI, KOHN & BENTLEY

5 By: /s/ Timothy J. Lepore

6 STEPHEN J. ERIGERO

7 TIMOTHY J. LEPORE

Attorneys for Defendant

8 THE LANGSDALE LAW FIRM, P.C.

9 **IT IS SO ORDERED** this 11th day of  
10 September, 2018.

11 

12 Peggy A. Leen  
13 United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of August, 2018, I served a true and correct copy of the foregoing **DEFENDANT THE LANGSDALE LAW FIRM, P.C.'S STATUS REPORT REGARDING SETTLEMENT** via the Court's CM/ECF electronic filing and service system to all parties on the current service list.

*/s/ Peggy Kurilla*